

PART 1839

ACQUISITION OF INFORMATION TECHNOLOGY

(September 2015)

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PART 1839

ACQUISITION OF INFORMATION TECHNOLOGY

Subpart 1839.1—General.

1839.105 Privacy.

See 1804.470.

1839.107 Contract clause.

See [PCD 15-03C](#) for further guidance related to NFS Deviation Clauses 1852.239-73 and 1852.239-74.

1839.107-70 NASA contract clause.

(a)(1) The contracting officer shall insert the clause substantially as stated at [1852.239-70](#), Alternate Delivery Points, in solicitations and contracts for information technology when—

(i) An indefinite delivery/indefinite quantity contract will be used or when the contract will include options for additional quantities; and

(ii) Delivery is F.O.B destination to the contracting activity.

(2) When delivery is F.O.B. origin and Government bills of lading (GBL) are used, the contracting officer shall use the clause with its Alternate I.

Subpart 1839.2—Electronic and Information Technology.

1839.203 Applicability

1839.203-70 Documentation.

(a)(1) For all procurements of Electronic and Information Technology (EIT), the requirements office is responsible for market research as well as preparing, documenting, and obtaining approval for all determinations of compliance, non-compliance, and partial compliance; commercial nonavailability determinations; and undue burden exceptions. Center procurement offices should provide appropriate assistance to the requirements office. For micro-purchases made under FAR 13.2, market research documentation for EIT may be entered within the purchase card system or within supporting files. For other than micro-purchases made under FAR 13.2, the market research shall be provided to the center procurement office for inclusion in the contract file and should be substantially the same as the following format:

Compliance with Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d) and the Architectural and Transportation Barriers Compliance Board Electronic and Information Technology (EIT) Accessibility Standards (36 CFR 1194)

Purchase Request:

Contract:

Delivery Order:

Task Order:

The supply and/or service required:

☐ Meet the applicable accessibility standards.

☐ Is a commercial supply or service and market research has determined that some or all of the applicable Access Board standards cannot be met by supplies or services available in the commercial marketplace in time to satisfy agency delivery requirements. (See attached EIT Commercial Non-Availability Determination)

☐ Is exempt from compliance with applicable accessibility standards based on the following exception:

___ The item is for a national security system.

___ The item will be located in spaces frequented only by service personnel for maintenance, repair or occasional monitoring of equipment.

___ Would impose an undue burden on the agency. (See attached Undue Burden Determination)

(Signature)_____

Printed Name of Requiring Official (Date)

NO NFS TEXT